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Applicant : B. Roberts, et al.
Serial No. : 10/028,038
Filed : December 20, 2001
Page : 7 of 10

Attorney's Docket No.: 07844-498001 / P462

REMARKS

Claims 1-13 and 19-21 are pending. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,091,956 ("Hollenberg") in view of U.S. Patent Application Publication No. 2002/0035609-A1 ("Lessard"). Claims 1 and 10 are amended. The applicant respectfully traverses the rejections and requests reconsideration in view of the amendments and following remarks.

Claims 1-9, 19 and 21

Claim 1 recites a method for recording and recalling data associated with a location. Particularly, the claim reads as follows:

A method for recording and recalling data associated with a location, the method comprising:

using a location aware device to determine a current location;
receiving at a first time a user-selected input related to the current location, the user-selected input being captured at the current location in response to a user action by an input device integrated into or attached to the location aware device;

recording a location bookmark for the current location using the location aware device, a location bookmark having a bookmark location and bookmark content, the bookmark location comprising the current location and the bookmark content comprising the received user-selected input;

storing the location bookmark;

detecting at a second later time that a location of the location aware device is within a specified proximity to the bookmark location and that a user-defined condition, other than that the location is within a specified proximity to the bookmark location, is satisfied by the user-selected input comprising the bookmark content and in response to the detecting automatically notifying a user of the location aware device of the location bookmark; and

presenting the user-selected input included in the bookmark content as part of the location bookmark through an output device of the location aware device, at a time after the first time.

As set forth in the claim, a location bookmark includes a bookmark location and bookmark content. The bookmark content include user-selected input received by the location aware device.

Applicant : B. Roberts, et al.
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Filed : December 20, 2001
Page : 8 of 10

Attorney's Docket No.: 07844-498001 / P462

The fifth limitation of the claim is a detection step requiring that at a second later time two things are detected. First, there is a detection that a location aware device is within a specified proximity to the bookmark location. Second, there is a detection that a user-defined condition is satisfied by the user-selected input comprising the bookmark content. The user-defined condition is something other than that the location is within a specified proximity to the bookmark location.

The applicant respectfully submits that a *prima facie* case of obviousness has not been established by the Examiner for at least the reason that neither reference discloses the fifth limitation of claim 1. The Examiner relies on Hollenberg to disclose this limitation, stating that Hollenberg discloses that as a "user approaches a specific location, for example city "Deneba", a map including the location bookmark (graphical symbols) is displayed". That is, as the user approaches a location (e.g., Deneba) a map is displayed to the user, the map including graphical symbols displayed thereon; the Examiner's position being that Hollenberg's graphical symbols are location bookmarks. Even if a graphical symbol is a location bookmark (which is not conceded by the applicant), the second element of the 5th limitation is not satisfied. That is, there is no detection that a user-defined condition is satisfied by the user-selected input comprising the bookmark content. The detection step in the 5th limitation is two-fold: the first detection relates to the location of the location aware device and the bookmark location, and the second detection relates to a user-defined condition and the bookmark content. The applicant provides a couple of examples of user-defined conditions in the specification at page 8, lines 14-18. For example, the user-defined condition can require that a location bookmark only be retrieved if the bookmark content contains a certain type of multimedia content, e.g., an image. As another example, the user-defined condition can require that a location bookmark only be retrieved if the bookmark content is about a restaurant. The "Deneba" example referred to by the Examiner does not disclose a detection that relates to a user-defined condition and the bookmark content.

Hollenberg does disclose that user can initiate a "service-provided keyword search" (Col. 16, lines 24-32), however, this also does not satisfy the limitations of claim 1. Claim 1 requires that the location aware device have previously been at the bookmark location at a "first time", as

Applicant : B. Roberts, et al.
Serial No. : 10/028,038
Filed : December 20, 2001
Page : 9 of 10

Attorney's Docket No.: 07844-498001 / P462

the bookmark content (*i.e.*, the user-selected input) is captured at the current location and the location bookmark is recorded using the location aware device. The detection steps in the fifth limitation occur at a "second later time", *e.g.*, upon the location-aware device returning to the bookmark location. Hollenberg describes providing "situation information services" to a user, but there is no requirement that the user's device has been at the location a first time and the "situation information" captured and recorded at said first time. Lessard also does not disclose such a detection step occurring at a "second later time".

Accordingly, the limitations of claim 1 are not disclosed and a *prima facie* case of obviousness has not been established.

Claim 1 is therefore allowable over Hollenberg in view of Lessard. Claims 2-9, 19 and 21 depend from claim 1 and are therefore allowable for at least the same reasons.

Claim 10-13 and 20

Claims 10 recites a device that includes, amongst other things, a means for retrieving, at a second later time, a location bookmark from storage in response to a determination that the device is close to the bookmark location and that a user-defined condition is satisfied by the user-selected input comprising the bookmark content. The user-defined condition is something other than that the location is within the specified proximity to the bookmark location. For at least the reasons stated above in reference to claim 1, Hollenberg in view of Lessard fails to disclose this limitation of claim 10. There is no disclosure in the references of a two-fold determination step, where, at a "second later time", a first determination is made as to the proximity of the device to a bookmark location and a second determination is made as to the bookmark content of the corresponding location bookmark satisfying a user-defined condition. Accordingly, a *prima facie* case of obviousness has not been established and claim 10 is allowable over Hollenberg in view of Lessard. Claims 11-13 and 20 depend from claim 10 and are therefore allowable for at least the same reasons.

By responding in the foregoing remarks only to particular positions taken by the Examiner, the applicant does not acquiesce with other positions that have not been explicitly

Applicant : B. Roberts, et al.
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Page : 10 of 10

Attorney's Docket No.: 07844-498001 / P462

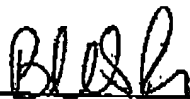
addressed. In addition, the applicant's arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist.

Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date:

June 9 / 06



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